



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

28 JAN 2004

In re Patent of

NOVACEK ET AL.

Atty. Ref.: 968-76

Patent No. 6,033,386

Issued: March 7, 2000

For: SAFETY SYRINGE NEEDLE DEVICE WITH
RETRACTABLE NEEDLE PLATFORM

* * * * *

January 15, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CERTIFICATE OF CORRECTION
UNDER 37 C.F.R. §1.323

Applicants request a Certificate of Correction for applicants' mistake under 37 C.F.R. §1.323 changing the word "hub" in line 52 of claim 5 to "barrel". Applicants submit that the mistake by applicant is of a clerical or typographical nature or of a minor character, does not constitute new matter and does not require re-examination.

In an Amendment filed February 22, 1999, applicants submitted new claims 13-17. Claim 17 in that Amendment corresponds to patent claim 5. Following a requirement for restriction of July 13, 1999 and applicants' election of Figures 26-28, the Examiner issued a Notice of Allowability apparently dated September 2, 1999.

The word "hub" in the final paragraph of patent claim 5 has no antecedent basis.

In the second and third full paragraphs of claim 5 the needle mounting structure is recited

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as affixed to the barrel and the hollow needle is recited as carried by the needle mounting structure. Consequently, i.e., the latch 104 carried by plunger 16 engages the needle mounting structure 102 (at 108) effecting a breakaway of that structure 102 from the narrow end 10 of the barrel. The mistake by applicant is readily discernible in the lack of antecedent basis for the hub and the clear intended meaning inherent within the claim at the needle mounting structure is broken away from the barrel to withdraw the needle into the barrel upon movement of the plunger away from the distal end of the barrel.

The fee set forth in 37 C.F.R. § 1.20(a) for the Certificate of Correction for applicants' mistake is enclosed.

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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2. A syringe according to claim 1 wherein said second end of said plunger has structure for connecting said plunger second end with structure at the distal end of the barrel, rupturable structure intermediate said first and second ends of said plunger for detachably connecting said first and second ends of said plunger, whereby said first and second ends of said plunger can be detached from one another when said adapter and needle are withdrawn into the interior of the barrel, leaving said first end in said barrel, said second end being attachable to said structure at the distal end of the barrel.

3. A syringe according to claim 1 wherein said adapter engagement and connection engagement structures on said plunger and adapter, respectively, include alignment surfaces inclined to an axis of the barrel and engageable with one another in response to axial movement of said plunger toward said adapter causing relative rotation between said plunger and said adapter.

4. A syringe according to claim 3 wherein said second end of said plunger has structure for connecting said plunger second end with structure at the distal end of the barrel, rupturable structure intermediate said first and second ends of said plunger for detachably connecting said first and second ends of said plunger, whereby said first and second ends of said plunger can be detached from one another when said adapter and needle are withdrawn into the interior of the barrel, leaving said first end in said barrel, said second end being attachable to said structure at the distal end of the barrel.

5. A syringe comprising:

a hollow, axially elongated barrel having distal and proximal ends;

needle-mounting structure affixed to said distal end of said barrel;

a hollow needle releasably carried by said needle-mounting structure and having an end in communication with the interior of said barrel;

a plunger axially slidably received in said barrel through said proximal end thereof and having a thumbpress at one end external to said barrel and a bung at an opposite end within the barrel engaging interior wall portions of the barrel;

an element carried by said opposite end of said plunger and engageable with said needle mounting structure upon axial sliding movement of said plunger toward said distal end of the barrel;

said element in engagement with said needle-mounting structure effecting a breakaway of said needle-mounting structure from said hub and withdrawal of said needle into the barrel in response to axial sliding movement of said plunger away from the distal end of the barrel.

6. A syringe comprising:

(a) a hollow, axially elongated barrel having a hollow interior;

(b) an adapter carried by said barrel adjacent a distal end thereof and removable therefrom in response to rotation relative to and about the axis of said barrel, the adapter carrying a needle and providing fluid communication with the interior of said hollow barrel;

(c) a plunger axially movable in said barrel between positions axially spaced from said adapter and engaging said adapter, said plunger having first and second opposite ends; and

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(d) adapter engagement structure disposed at said first end of the plunger and engageable with a mating connection engagement structure on the adapter, said structures having respective drive and connective engagement surfaces, said drive surfaces of each said adapter engagement structure and said mating connection engagement structure extending radially and being spaced circumferentially from one another about the axis of said barrel, said circumferentially spaced drive surfaces of said adapter engagement structure engaging respective circumferentially spaced drive surfaces of said mating connection engagement structure in response to relative rotation of said plunger and said adapter when said plunger lies in said adapter engaged position, said drive surfaces being jointly movable to enable rotation of the adapter relative to the barrel in response to relative rotation of the plunger and barrel to cause the adapter to part from the distal end of the barrel, said connective surfaces (i) lying in axial opposition to and engaged with one another when said plunger lies in said adapter engaged position to connect the plunger and adapter one with the other and (ii) enabling said adapter, when parted from the end of the barrel in response to joint rotation of said adapter and said plunger relative to said barrel, to be withdrawn with the needle into the interior of the barrel in response to joint axial movement of said plunger and said adapter in a direction away from the distal end of the barrel.

7. A syringe according to claim 6 wherein said plunger includes rupturable structure intermediate said first and second ends thereof for detachably connecting said first and second ends relative to one another whereby said second end can be detached from said first end when said adapter and needle are withdrawn into the interior of the barrel.

8. A syringe according to claim 6 wherein said second end of said plunger has structure for connecting said plunger second end with structure adjacent the distal end of the barrel, rupturable structure intermediate said first and second ends of said plunger for detachably connecting said first and second ends of said plunger, whereby said second end of said plunger can be detached from said first end when said adapter and needle are withdrawn into the interior of the barrel, leaving said first end in said barrel, said second end being attachable to said structure at the distal end of the barrel.

9. A syringe according to claim 6 including an alignment surface carried by said plunger and cooperable with another alignment surface of said syringe to orient said plunger relative to said adapter so that said drive surfaces carried by the plunger lie in circumferential registration with the drive surfaces of said adapter when said plunger is moved into its axially distal-most engaged position relative to said adapter.

10. A syringe according to claim 6 wherein said adapter engagement and connection engagement structures on said plunger and adapter, respectively, include alignment surfaces engageable with one another in response to axial movement of said plunger toward said adapter causing orientation of said plunger and said adapter relative to one another to enable said drive surfaces to lie in circumferential opposition to one another.

11. A syringe according to claim 10 wherein said alignment surfaces are inclined to the axis of the barrel and engage one another in response to axial movement of the plunger toward the adapter to cause relative rotation

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CERTIFICATE OF CORRECTION

PATENT NO. : 6,033,386
DATED : March 7, 2000
INVENTOR(S) : NOVACEK ET AL.

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It is certified that error appears in the above-identified patent and that said letters patent is hereby corrected as shown below:

Column 37, (~~claim 5~~), line 52, delete "hub" insert --barrel--.

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